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### Special Article - Aboriginal Lands in South Australia

Special article coordinated by Alan O'Connor, Department of State Aboriginal Affairs, with assistance from the Aboriginal landholding authorities. Article reproduced from South Australian Year Book, 1997 (ABS Catalogue no. 1301.4).

Land is central to Aboriginal people. It is the basis of all cultural, economic, social and political activity and many people living on Aboriginal lands, especially in the north-west and west of the State, spend considerable time in ritual business and other cultural and social activities. In South Australia Aboriginal people hold title to more than 20% of the land area.

#### Legislation

Aboriginal people in South Australia have the opportunity to have some control over their own affairs through three historic pieces of legislation which deal with rights to land.

**The Aboriginal Lands Trust Act 1966** was the first in Australia to ensure that the titles to the existing Aboriginal Reserves were held in trust on behalf of all Aboriginal people in South Australia. The Aboriginal Lands Trust (ALT) also holds freehold title to Aboriginal Lands not held under other titles, and currently controls an area of 5,500 square kilometres.

**The Pitjantjatjara Land Rights Act 1981** ensures that the Anangu Pitjantjatjara have control over some 102,500 square kilometres in the far north-west of the State. There are eight major communities on the Lands and some 160 homelands or satellite communities incorporated under the Aboriginal and Torres Strait Islander Commission (ATSIC). These homelands have enabled many people to return to their country to escape the pressures of the larger communities, establish a degree of independence and separate identity, and to gain access to resources.

**The Maralinga Tjarutja Land Rights Act 1984** provides Maralinga Tjarutja with control over some 80,000 square kilometres of land south of the Pitjantjatjara Lands.

These Acts are administered by the Minister for Aboriginal Affairs with administration and funding assistance provided

by the Department of State Aboriginal Affairs (DOSAA). A Parliamentary Committee, established for each of the land-holding authorities, is required to report to Parliament each year.

Currently many Aboriginal people are attempting to use the Federal Native Title Act to achieve their land aspirations. The proof of the continued existence of a system of traditional laws and customs relating to land is a difficult task given the history of colonisation and dislocation. It should also be acknowledged that the great majority of Aboriginal people now live in urban settings and cannot benefit from Native Title decisions.

A Land Fund and the Indigenous Land Corporation (ILC) have been established by the Commonwealth Government to help people acquire land and manage it in a way that provides social, cultural, environmental and economic benefits. The ILC is based in Adelaide and administers the Land Fund which is to receive almost \$1,500 million from the Commonwealth Government over ten years.

On the West Coast there is a movement called New and Emerging Communities (NECS) which fall into two categories; those seeking to acquire land and those who have acquired land and are now seeking funding to develop infrastructure and family based enterprises.

### **Aboriginal Lands Trust Lands**

Aboriginal Lands Trust Lands are made up of former missions, farming properties and blocks of heritage and cultural significance to local Aboriginal communities. The Trust holds the title to 67 properties at various locations throughout the State, with these titles being sub-let to local communities, organisations and individuals.

The major ALT communities together with their 1991 Census populations are Yalata (311); Gerard (104); Koonibba (137); Davenport (158); Nepabunna (101); Point Pearce (133); Raukkan (124); and Umoona (119).

While the land is held in trust by the ALT for the economic, and cultural benefit of the Aboriginal people of South Australia, the Act governing the operations of the Lands Trust stipulates that the land may not be sold without the approval of both houses of Parliament.

### **Historical perspective**

The Aboriginal Lands Trust Act came into force in 1966, with the government recognising the justice of returning to the Aboriginal people the Lands that have particular significance.

Originally, the Trust was little more than a land holding body responsible for the administration of the various leases.

However, over the last few years the Trust has increasingly accepted responsibility for land management and land care issues affecting the properties, as it has the expertise to identify appropriate Aboriginal groups and individuals who need to be consulted in all areas relating to land management. The Trust administration coordinates meetings between relevant Aboriginal people and those with mining and pastoral interests.

#### Administration

The Lands Trust Act is administered through the Lands Trust Board, consisting of representatives from tribal groups throughout the State. The Chairperson of the board is assisted by:

- an Executive Officer;
- a Land Management Co-ordinator;
- an Administrative Officer;
- a Rangeland Officer;
- Pest/plant officers (trainers).

#### Enterprise activities

The Aboriginal Lands Trust Board has a Business Advisory Panel that has a store of information not only on land management issues but also general development plans for communities. This information is centralised and helps the Trust Board to make long term decisions in line with community wishes and enables communities ready access to the data base.

#### **Current activities**

Land care issues continue to be a major focus of the activities of the Aboriginal Lands Trust. Most of these activities and locations are discussed in the following paragraphs.

#### Pest plant control

The Aboriginal Lands Trust obtained Aboriginal Rural Resource Initiative funding from the Commonwealth Department of Primary Industry and Energy (Bureau of Resource Science) to train three Aboriginal persons from both Point Pearce and Raukkan in pest plant, pest animal and land care issues, including environmental and revegetation techniques.

Training officers from the Trust supervise the trainees in each community over an eighteen month period. Upon completion of their training all trainees become accredited pest control operators with marketable skills that can be sub-contracted to other communities and agencies involved in pest and weed control.

At Raukkan the program has developed successfully around the needs of the farm and the wider community, with trainees involved in the eradication of pests and vermin as well as weeds. At the communities request, trainees have

been involved in land rehabilitation including the revegetation of a sacred site which was of immense importance to members of the Raukkan community.

By involving the community school in tree planting programs, the trainees have increased awareness in environmental issues among school children and have sponsored the development of seed collections, propagation and tree planting.

#### Nantawarrina

During 1995 the Aboriginal Lands Trust became concerned about the over concentration of stock and excessive numbers of feral animals on selected areas of Nantawarrina in the Flinders Ranges. The Aboriginal Lands Trust Board considered that if this situation were allowed to continue unchecked further destruction of vegetation over large areas of the property would occur and soil erosion problems already apparent on the property would be magnified.

The Lands Trust commenced a program for the culling of feral animals and vermin such as rabbits which have contributed significantly to destruction of the vegetation at Nantawarrina. This action is conducted in conjunction with representatives of the Department of Environment and Natural Resources, members of the Northern Flinders Ranges Soil Board, members of the Sporting Shooters Association, staff from the Animal and Plant Control Commission and neighbouring landholders.

Because this property is of cultural significance to the Adnyamathanha people, the Aboriginal Lands Trust considers that the indigenous custodians of the area may wish to protect and maintain the property purely for cultural purposes and, by capitalising on the many natural resources of the area, develop tourist activities to augment those already existing in the Gammon Ranges area.

#### Wardang Island Rabbit Calicivirus Disease

The Australian and New Zealand Rabbit Calicivirus Disease Program commenced on Wardang Island, a trust property, in late 1994. However, the virus did not remain isolated on Wardang Island as was intended and, as a result, experiments with the virus on the island were suspended.

#### Wardang Island tourist development

The Aboriginal Lands Trust has responded to the Point Pearce community's desires to see a tourist venture developed on Wardang Island and has called for tenders to develop Wardang Island as a tourist destination. However, the final selection has been delayed pending the finalisation of other enterprises currently being developed at Point Pearce.

Granting of a lease will be subject to the employment of

Point Pearce community persons by the successful proponent. Feasibility studies, environmental impact studies, Aboriginal impact studies and Aboriginal heritage assessments have given support to the Island being developed as a tourist resort subject to the undertaking of revegetation programs. It is proposed that lease arrangements for the use of portions of the island will be negotiated between the ALT and relevant agencies, with the Point Pearce community having access to the island at all times.

Point Pearce  
Community

The Point Pearce Community Council has been using a grant from the Bureau of Resource Sciences to develop a commercial oyster farm in the waters around Point Pearce and Wardang Island.

Yalata  
Community

At the request of the Yalata Community the Trust has developed a management plan relating to the Whale Watch site which proposes the development of the Head of the Bight. The Department of Environment and Natural Resources has supported Yalata Community for the employment of a land management officer to assist in this development.

Agriculture

The most prominent examples of this activity are horticulture at Gerard and the successful farming enterprises at Point Pearce and Raukkan.

## **Future plans**

Review of the  
Aboriginal  
Lands Trust  
Act

The Aboriginal community has requested the Trust to consider the establishment of an independent South Australian Lands Council along the lines of Maralinga Tjarutja and Anangu Pitjantjatjaraku.

Trust representatives have undertaken a review of the Lands Trust Act with a view to establishing an independent Council which would have an expanded role. The Trust will continue to focus on developing the Lands it holds on behalf of Aboriginal people, to ensure a sound economic base and the care and well being of the lands.

**Anangu  
Pitjantjatjara  
(AP) Lands**

The Lands

The Pitjantjatjara country consists of a long chain of mountain ranges, the Musgraves, Mann and Tomkinsons,

stretching east to west on the southern side of the Northern Territory border, isolated ranges and hills and extensive sandhill plains. AP also have affiliations with land in the Northern Territory to the Petermann Ranges and in Western Australia.

#### Historical perspective

The past half century has been a period of immense and far-reaching change for Aboriginal people who live in the far north-west of South Australia, a people whose culture had been subject to minimal change in pre-contact times, and who had been protected from some of the major effects of contact by remoteness, during the first century of European settlement in South Australia.

However, in the past fifty years they have had increasing contact not only with non-indigenous persons, including government officials, missionaries, pastoralists, miners, tourists and a variety of adventurers but also with other Aboriginal groups. They have been exposed to a vast range of new experiences and material goods.

A money economy has been introduced. Travel and communication have been revolutionised in the region and they have been encouraged to participate in new systems of employment, education, health and welfare services and religion. At the same time they have struggled to retain aspects of their culture including languages, values, relationships, beliefs and rituals. (Edwards, 1992)

#### Community profile

The population is heavily weighted towards younger age groups with only about 25% of the Anangu on the Lands over 35 years old. The Anangu experience high dependency ratios, low life expectancy and poor living standards. People are highly mobile and place a high value on kinship obligations.

The main AP communities are Pukatja (Ernabella) with a 1991 Census population of 470, Amata with 370, Aparawatatja (Fregon) with 310, Iwantja (Indulkana) with 320, Mimili with 210 and Pipalyatjara with 140. The remaining estimated 700 to 800 are located in approximately 160 homelands. Later estimates from the Nganampa Health Council indicate that the population of the major communities had grown from 1800 to 2300 by 1994.

#### Administration

Under its Act, AP must ascertain the wishes and opinions of traditional owners in relation to the management use and control of the Lands and protect the interests of these owners. The organisation is governed by an Executive Body which is comprised of a Chairperson and ten other members representative of the community and homeland organisations throughout the Lands. The Executive meets

twice in every two month period with general meetings held throughout the Lands on alternate months. Day to day management and operation of AP is the responsibility of the Chief Executive Officer delivered through the Anangu directors.

In 1994, AP Land was given Local Government status making it eligible for local government funding. The administration has moved from Alice Springs to Umuwa on the Lands.

#### Current activities

Some of the major activities carried out by the Executive Body are administration, land use (including mining, tourism, pastoral licences), land access including permits, land management, community management, essential services and road works, housing waste management and environmental health.

#### Arts and crafts

The major centres for arts and craft on the Lands are Ernabella Arts and Kaltjiti Crafts. Ernabella Arts is known internationally for textile printing and services about 65 artists in the surrounding community. Kaltjiti Crafts services about 50 people from the Fregon and Irintata areas and is beginning to expand from its production of batiks and paintings. A large proportion of the wood carvings produced on the AP Lands by an estimated 250 artists are marketed through Maraku Arts and Crafts in Uluru.

#### Mining

In 1994–95 there were exploration agreements between AP and mining companies to search for chrysoprase and gold with further agreements being negotiated for oil and gas.

#### Tourism

Permits are required to visit these Lands. New companies such as Mimili Tours and Desert Tracks enable people to experience the rich cultural traditions of the local people and visit places such as Cave Hill with its rock art and the place of the Seven Sisters Dreaming and Ngarutjara (Mount Woodroffe), the highest mountain in South Australia and an important site in the Perentie Lizard songline.

#### Pastoral enterprises

Over the last decade pastoral operations in the Lands have encountered many difficulties. The sheep industry has disappeared entirely from the Region, and the Brucellosis Tuberculosis Eradication Campaign devastated many of the cattle herds in the 1980s.

In general, pastoral enterprises in the Lands are reported to function more as employment programs than as commercially-oriented business ventures. The industry requires good management as well as a realistic assessment of the capacity of the land to carry stock without suffering environmental damage.

Land management	AP supports programs aimed at using, developing and training people in traditional and modern land management practices. Anangu have developed projects arising from the introduction of new plants and animals and prepared a video of this work. There has also been preliminary work to plant woodlot areas, plant trees around communities and homelands and collect seeds.
Essential services	Much of the activity on the Lands revolves around these basic issues to ensure the provision of services adequate for the health and welfare of the community. The major essential services work can be categorised into the provision of power, water and sewerage services, road grading and construction, and airstrip maintenance. Under an agreement with ATSIC, the Department of State Aboriginal Affairs manages most of this work on the major communities on the Lands in conjunction with community essential services officers.
Housing and health	Appropriate housing is considered as crucial to improving health in the communities. The UPK Report (Nganampa Health, 1987) was regarded as the first serious attempt to involve the community in determining the key factors affecting health. Later work by consultants from Nganampa Health and has built on this study. Over the last 15 years an estimated 300 houses have been built on the Lands.
Community Development Employment Projects (CDEP)	The CDEP scheme accounts for about 85% of the total labour force on the Lands. The major work programs have been landscaping, rubbish collection and sanitation, fencing, maintenance of housing, roads and water sources, artefacts and crafts and cultural business.
Non-CDEP employment	Most of the salaried employment in the Lands is funded either directly or indirectly by the South Australian Government or ATSIC, for example, administrators, health workers, teachers or police.
Hunting and gathering bush food	The 1994 National Aboriginal and Torres Strait Islander Survey enabled a national picture of this activity to be obtained for the first time. It shows that at various times between 10% and 33% of adults on the Lands are involved.
Future plans	AP plan to continue biological surveys and burning programs and to develop a ranger program in six communities. A pilot CDEP project is commencing in two communities to start up an accredited building training skills program.



The South Australian Centre for Economic Studies concluded that there is scope for expansion and diversification in arts and crafts and some more short cultural tours. There are considerable untapped resources in mining and potential for growth in the pastoral industry. There may also be opportunities for building on the successes of small-scale hunting and food-preparation ventures.

However there are also a number of constraints to viable operations in the Lands - enterprises must be consistent with the highly mobile Anangu lifestyle and consider traditional obligations within the kinship networks. It is also difficult to raise venture capital when the land is not privately owned and housing is generally provided by community and homeland organisations. Finally there is a need to increase the literacy, numeracy and business management skills of the community.

## **Maralinga Lands**

### **The Lands**

Maralinga is situated 35 kilometres north of the transcontinental railway, 650 kilometres north-west of Port Augusta and 285 kilometres east of the Western Australia–South Australia border.

The Maralinga Lands, which range from densely wooded undulating sand hills through to scrub plains, extend north from the railway to the Anangu Pitjantjatjara Lands.

### **Historical perspective**

These Lands were traditionally the home of peoples linked to the Kokatha, Wirangu and Pitjantjatjara. Because of dislocation brought about by droughts, the building of the Woomera rocket range and the movement to missions, many Kokatha people now live in Port Augusta.

In the 1920s, the people who had occupied the surrounding area congregated around Ooldea, where they stayed until the Ooldea mission was closed in 1952 and they were transferred to a new mission at Yalata. The area then became a zone prohibited to the public because of the nuclear testing program.

During the early 1980s, Maralinga people began moves to have their Lands returned. The South Australian Government recognised their claims in 1984, passing the Maralinga Tjarutja Land Rights Act by which 76,420 square kilometres were handed back to the people.

The former British Atomic Test Range lies within the

Maralinga traditional Lands but is a declared prohibited zone under Commonwealth control. A royal commission into British nuclear tests proposed that the Maralinga Lands be cleaned up and decontaminated and that the traditional owners be compensated. In 1991 two Maralinga elders, Barka Bryant and Hughie Windlass, travelled to London to appeal directly to the British Government for compensation.

Contractors are reconstructing the old Maralinga village for 60 to 80 people to undertake clean up work estimated to take until the year 2000. The Commonwealth will also assist with training to enhance employment opportunities to rehabilitate the Lands and to manage infrastructure at Maralinga.

An estimated 120 square kilometres remains so badly contaminated by plutonium that no one can safely go there for 250,000 years unless the topsoil is removed. (Horton, 1994)

In December 1994, the Maralinga people accepted a Commonwealth compensation offer of \$13.5 million over two years to fund new outstations, improved health services, roads and water supplies.

#### Community profile

Since 1984 the traditional owners have been moving back onto those Lands considered unaffected by nuclear contamination and have established the Oak Valley community near Lake Dey–Dey, about 110 kilometres north-west of Maralinga. The mainly Pitjantjatjara people who live on the Lands are highly mobile and vary in number between about 40 and 120.

Their desire to remain involved in cultural activity has limited the development of fixed infrastructure and amenities. The difficulties with dust, diet and the lack of facilities for washing and food storage and preparation, have led to various health problems.

#### Administration

Maralinga Tjarutja is the Statutory Authority responsible to the South Australian Parliament and controls planning, development and entry to the Lands.

#### Current activities

The Maralinga Community has lived in a traditional manner for about eleven years with no permanent housing and rainwater collected via shed tanks built by the Aboriginal Housing Unit. Power has been supplied by small diesel generators.

The Maralinga Community recently decided that infrastructure was needed at Oak Valley to establish a permanent community on the Lands to serve the needs of its members many of whom are now ageing. The availability

of water remains the most critical issue for the community.

To date eight houses have been built for the Community, staff and teachers. In addition a health clinic and workshop have been constructed and improvements made to a store, recreation hall and offices. Projects in progress include the construction of a large water truck and water tanker to cart water into the community, the linking of bores to a central water tank, a central power station and further housing.

The Community Development Employment Program has grown to 50 participants.

#### Future plans

The community is trying to move rapidly to establish itself in a very remote location. Its major priorities are to get additional housing, repairs to an airstrip and support for its CDEP workers.

### GRANTS TO LAND HOLDING AUTHORITIES, 1995–96 (\$'000)

Agency	Source of funds		Total
	South Australian Government	Aboriginal and Torres Strait Islander Commission (ATSIC)	
Anangu Pitjantjatjara Incorp.	290	290	1,048
Maralinga Tjarutja Incorp.	176	196	372
Aboriginal Lands Trust	251	-	251
<b>Total</b>	<b>717</b>	<b>954</b>	<b>1,671</b>

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